

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 97-193-C - ORDER NO. 2000-724

AUGUST 30, 2000

IN RE: Rock Hill Telephone Company - Revisions to) ORDER DENYING
its General Subscriber Service Tariff to) MOTION FOR RULING
Comply with FCC Order Nos. 96-388 and 96-)
439, Issued in CC Docket No. 96-128 and 91-)
35 (Reference Tariff No. 97-176).)

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Motion for Ruling of the South Carolina Public Communications Association (SCPCA). Rock Hill Telephone Company (Rock Hill) has filed a response to the Motion.

SCPCA's Motion for Ruling requests that this Commission issue an Order ruling that in the event the proceedings in this Docket result in rates for Public Telephone Access Service (PTAS) that are lower than those currently tariffed by Rock Hill, that (1) those rates will be deemed effective April 15, 1997; and (2) Rock Hill will owe certain refunds, along with 8.75% interest. SCPCA alleges that this ruling is necessary to place all parties expressly on notice that the Commission may order this rate relief as a result of the present docket. SCPCA then offers extensive background and discussion in support of its Motion.

Rock Hill has filed a response to the Motion. Rock Hill notes that SCPCA requests the ruling since it alleges that this Commission has already ordered this relief by granting the SCPCA's Petition on Remand. Rock Hill states that this is a misinterpretation. Rock Hill states its belief that the Commission granted the Petition because it intends to hear the matter, and that we have not already ruled on the merits of

this matter or any part thereof. Rock Hill alleges that a ruling on any potential refunds would be premature. Rock Hill asks that this Commission deny the Motion for Ruling and address all relevant issues in the upcoming hearing.

Whereas we do not go so far as to state that the SCPCA misinterpreted the Commission's order granting the Petition on Remand, we do state that we had no intention of ruling on the merits of the present matter or any part thereof by granting the original Petition. We do agree that our purpose is to have a hearing in this matter for fact finding purposes, and, accordingly, we do believe that any ruling on refunds and/or interest at this time would be premature. Without knowing all of the facts, we do not have a basis for the ruling requested by SCPCA. Therefore, we deny the Motion for Ruling, and state that we will address all relevant issues in the upcoming hearing.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)